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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

DARREN WHITE, et al.,
Plaintiffs,

vs.

CITY OF LOS ANGELES, et al.,
Defendants.

Case No. SACV 2:17-cv-3306-SJO-MRW

[Honorable S. James Otero]

PLAINTIFFS' [PROPOSED] VOIR DIRE

Date: August 21, 2018
Time: 8:30 a.m.
Dept.: 10C (Hon. S. James Otero)

1 **TO THE HONORABLE COURT AND TO ALL PARTIES AND THEIR**
2 **ATTORNEYS OF RECORD:**

3 **PLEASE TAKE NOTICE THAT** Plaintiffs hereby submit their [Proposed]
4 Voir Dire. Plaintiffs reserve the right to amend the following proposed list of
5 questions.

6
7 Respectfully submitted,

8 DATED: August 6, 2018

SCHONBRUN SEPLOW HARRIS &
HOFFMAN LLP

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10 LAW OFFICES OF CAROL A. SOBEL

11
12 By /s/ Catherine Sweetser

13 CAROL A. SOBEL

14 CATHERINE SWEETSER

15 MONIQUE ALARCON

16 Attorneys for Plaintiffs
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PLAINTIFFS' PROPOSED VOIR DIRE

Plaintiffs hereby respectfully request the Court to ask the jury panel the following proposed *voir dire* questions:

Questions re Peace Officer Bias

1. Everything else being equal, would you be more likely to believe a police officer's testimony than the testimony of a non-police officer?
2. Do you think a police officer who is a defendant in a civil case is capable of testifying falsely under oath?
3. Do you think that a police officer is capable of testifying falsely under oath to support a fellow officer?
4. Have you ever been a victim of a crime?
 - A. For what crime?
 - B. Did you have a positive or negative impression of law enforcement as a result?
 - C. Could you set that experience aside and be fair to both sides?
5. Have any of your close family members or friends been a victim of a crime?
 - a. For what crime?
 - b. Did you have a positive or negative impression of law enforcement as a result?
 - C. Could you set that experience aside and be fair to both sides?
6. Are you or any of your family members or close friends current or former government employees or police officers?
 - A. If yes, what agency and what type of job?
7. Are you or any of your family members or close friends current or former service members in any division or branch of our military?

1 A. If yes, what agency and what type of job?

2 8. Are you or is anyone you know a current or former peace officer?

3 A. Who, what agency, and how long?

4 9. Have you or has anyone you know attended or applied to attend any law
5 enforcement academy or basic training?

6 10. Have you or has anyone you know worked as or applied to work as a
7 firefighter, paramedic, or other type of emergency response personnel?

8 11. What newspapers and magazines do you regularly read?

9 12. What websites or blogs do you regularly visit?

10 13. Have any of you taken on a leadership role in any political groups or
11 activities?

12 14. Do you have an opinion about which is more important – law and order or
13 preserving everyone’s constitutional rights?

14 a. If so, what opinions have you expressed?

15 15. This is a lawsuit brought by a private citizen against a member of the
16 Police Department. Do you feel that citizens who believe they have been
17 treated illegally and unfairly have a right to bring a lawsuit against police
18 officers?

19
20 **Questions re: Juror Connection to Plaintiffs**

21 16. Do you work or live near the Skid Row area of Los Angeles?

22 17. Have you read any articles or listened to or watched any news about
23 homeless people recently?

24 18. Are you familiar with an organization called the Los Angeles Community
25 Action Network? If so, how are you familiar with it?

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27 //

1 19. Have you been personally affected by homelessness in Los Angeles? How?

2 Has anyone here ever spoken out publicly for or against a political measure
3 related to homeless people?

4 20. Have you read about or heard about in any other way the shooting of a man

5 named Charley Kenaung, also known as Africa, in the Skid Row area of
6 Los Angeles? Does anyone here have a personal connection to that person
7 or his family?

8 21. Have you read about or heard about in any other way the shooting of a man

9 named Brandon Glenn, in the Venice area of Los Angeles? Does anyone
10 here have a personal connection to that person or to his family?
11

12 **Questions re: Juror Connection to Defendants**

13 22. Have you, a family member, or any of your close friends had any contact
14 or association with the Los Angeles Police Department or any of its
15 employees? If so:

16 A. Describe the circumstances of the contact or association.

17 B. Are there any ill feelings that you, your family, or any of your
18 close friends hold toward the Los Angeles Police Department or
19 any of its employees? If so, please explain.

20 C. Would you view the evidence differently because of your past
21 experience with the Los Angeles Police Department or any of
22 its employees?

23 23. Are you or is anyone you know a current or former employee of or
24 contractor with the City of Los Angeles?

25 A. Who do you know?

26 B. What is or was their job?

27 C. How long were they employed?
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Questions re Justiciability of Peace Officer Conduct

24. Do you think that our society should hold police officers liable in court when they violate people's rights?

25. Do you agree that police officers or the entity they work for should pay money damages when they violate people's rights?

26. Do you think that it is important for private citizens to be able to monitor the work that police officers are doing?

Questions re General Juror Bias & Bias Against Actions for Money Damages

27. Do you think there are too many lawsuits?

A. If yes, why?

B. Can you give an example of a lawsuit that you think was important to bring?

28. Do you believe that a person should be able to receive compensation for their emotional injuries, even if there is no objective way to prove or disprove those injuries?

A. Why?

29. Do you think that because the defendants are denying responsibility for this incident, they are probably not responsible?

30. Is there anybody that would hold it against the plaintiff simply because he has pursued this case to trial?

31. Would you feel comfortable deciding a case even if you are not 100% certain who is right? Would you feel comfortable deciding a case based on who is more likely right? What if you are only 60% sure one side is right? What if you are only 52% sure one side is right?

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1 32. Do you think you would have to be more than 52% sure in a case against
2 police officers? Or would you apply the same standard to police officers as
3 to private citizens?
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